

REMARKS

The interview with examiner Niki Eloshway on May 25, 2007 is acknowledged with appreciation. The examiner's summary of the interview is accurate as to what transpired at the interview.

Claims 1-2 and 12-17 are canceled without prejudice or disclaimer of the subject matter therein. Applicant reserves the right to file another application directed to such subject matter.

Independent claims 1 and 16 have been replaced with new claims 18 and 19. New claims 18 and 19 are directed to a closure device comprising a top wall, a skirt and a plurality of pads with spaces between the pads and wherein the pads have a portion to engage a face of an outer punch... as described in claims 18-19. As discussed at the interview none of the prior art of record have pads with a portion configured to engage an outer punch as recited in the present claims.

Claims 1-6, 8, 9, 11 and 16 are rejected as anticipated by Bourgeois (U.S. Patent No. 6,660,349) and in a second rejection as anticipated by Banich (U.S. Patent No. 4,331,249). Bourgeois and Banich do not disclose pads with spaces between the pads and wherein the pads have a portion to engage a face of an outer punch... as described in claims 18-19.

Claims 7 and 10 are rejected as obvious over Bourgeois in view of Taber (U.S. Patent No. 6,964,346). Taber is not cited for and does not make up for the deficiencies noted above with respect to claims 18 and 19. Accordingly, claims 7 and 10 appear to avoid the prior art for at least the same reasons as noted above with respect to the independent claims.

In view of the above, it is submitted that all of the claims (Nos. 3-11 and 18-25) are in condition for allowance and such action is, respectfully, requested.

If there is any issue remaining to be resolved, the examiner is invited to telephone the undersigned so that resolution can be promptly effected.

It is requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435 (5723-79598).

Respectfully submitted,

BARNES & THORNBURG LLP

A handwritten signature in cursive script, appearing to read "Richard B. Lazarus".

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